

REMARKS

The present amendment is in response to the Office Action mailed January 6, 2009, in which Claims 1 – 5 and 11 were rejected.

Claim 1 is amended. Claims 8, 9, 13 and 15 through 20 were previously cancelled. New Claims 21 – 33 are added. Accordingly, Claims 1 – 5, 11, and 21 – 33 are pending.

Favorable reconsideration is respectfully requested.

CLAIM AMENDMENTS

Claim 1 is amended herein to include limitations directed to the template sequence with the sense and antisense sequences being 17 – 23 nucleotides each. This limitation is set forth in the application as originally filed. Applicants respectfully submit that no new matter has been added by this amendment.

NEW CLAIMS

New Claims 21 – 33 are added. Of these claims only Claim 24 is independent. The new claims set forth limitations which were set forth in the application as originally filed.

CLAIM REJECTIONS – 35 USC SECTION 102

The Examiner rejected Claims 1 – 5 and 11 under 35 USC Section 102(b) as being anticipated by Thompson (USPN 5,902,880) and Jennings *et al.*

Applicants respectfully traverse this rejection.

Neither the patent to Thompson nor the reference to Jennings *et al.*

teaches the invention as presently claimed in independent Claim 1. Specifically, neither of these references teaches a recombinant DNA construct having a template sequence which includes a sense sequence of 17 – 23 nucleotides and an antisense sequence of a like number.

Insofar as it is believed that Claim 1, as an independent claim, is allowable over the art of record it is submitted that the claims dependent thereon are allowable as well.

Applicants respectfully request reconsideration of the rejection under 102(e).

REQUEST FOR INTERVIEW

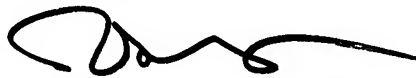
The undersigned Attorney for Applicants respectfully requests the opportunity to meet with the Examiner in person before another Office Action is issued to discuss the application, the claims as currently pending, and the prior art in an effort to overcome any issues that may remain. The undersigned Attorney for Applicants respectfully requests that the Examiner contact him at the phone number appearing below.

CONCLUSION

In light of the above remarks, Applicants respectfully submit that all pending claims as currently presented are in condition for allowance. Applicants respectfully request that a Notice of Allowance be issued in this case.

It is believed that no fee is due beyond the extension of time fee, however, the Commissioner is hereby authorized to charge any amount required to Deposit Account No. 19-2112.

Respectfully submitted,



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TTM/hs

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